

LEX FORCIA

Sensible Addres

TO THE

Parliament,

FOR AN

ACT

REMEDY

THE

Foul Abuse of Children at SCHOOLS,
Especially, In the Great Schools of this Nation.

*Nimium est quod intelligitur
Quæstionem on this Subject.*

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LEX TORGIA

General

Parliament

FOR AN

ACT

REMEDY

THE

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Lex Forcia.

MARCUS FORCIUS, Tribute of the People, prefer'd a Law, That no Roman Citizen should be Beaten with Rods. That Man should have his Statute Erected by my consent, that can Prefer such a Law, against the Abuse of them, for the great Schools of this Nation. In the Year 1669, these ensuing Papers for the most part, not altogether (for there are many *Passages* intermingled, not before in them, some changed, some left out) were Printed in a little Book in *Duodecimo*, and Licensed by Roger Le Strange; they being brought him by a Knight of his Acquaintance, and the Book was Presented by a Lively Boy (with a Servant of that Knight attendnig him) to the *Speaker*, and to several *Members of the House*, as a *Petition* in behalf of the *Children of this Nation*; a Quantity of them being paid for, and Designed to that End.

It was not long after that Fine Boy Dyed, and it was an Errand worth his sending into the World if he had Obtained a Consideration of

the Matter by the Wisdom of a House of so many *Choice Persons* as still are *there*, and their *Debate* about it, whatsoever had been the Effect.

One of the *Members*, and an *Active Gentleman* and *Schollar*, had the Thoughts (if not a Resolution) to make a Motion in Regard to the *Petition*, or purpose of it: But thinking it wise to Consult with that Doctor at *Westminster School*, with whom he had Conversation, it was a wrong Box he went to, and it is no Wonder if one so much Concern'd (though there was not the least mention of him then in the Book) should effectually diswade him from it.

He was a very Ingenuous Man, and of Great Vertue, and Publick Spirit, who had one of the Books sent him, and wrote back these Words: *I Received the Pretty Book, I hugely like the Design of It, and as much fear thy Prognosticks of Its Success. The Stupidity of some, the Naughtiness of others, and Long Prevalency of a Base, Wicked, and Injurious Custom, will, I doubt, Deprive the Nation of that Great Benefit which it Promises.*

It is some Advantage, therefore, to the People of this Kingdom, that as we have our *Parliaments*, our *Parliament Men* are of diverse Dispositions, and our *Parliaments* are Diverse; so that there is no Grievance which is publick, especially if it be general, abiding, and affecting Posterity, if it be Presented at one time, and be not laid to Heart; it

it may be Represented, Considered, and Redressed at another. Once in *Seven* Years, at least, once in *Four* times *Seven*, one may make a New Tryal. I will promise the Man who brings in such a Bill, that the Ages to come shall Bless him; and the Age wherein he lives shall say of him, *Hic est*.

There is not any thing hardly of more Moment in a *Common-Wealth*, than the *Education* of *Children*, and yet there is generally nothing left more at Random, and besides the Publick Care. It is the Custom ordinarily of our *Schools*, which being received by our Ancestours, and used upon their Innocent Years, (that are not Sensible of their Masters Vice, or their own Injury) does pass uncontrouled, to commit to a Person, who hath got a little *Greek* and *Latin*, and nothing else perhaps to live upon, and so is chosen to the Office, (without any Qualification otherwise, many times, either of real Worth, or Vertuous Life, it is well if it be but so much as Sobriety in Age, and Modest Inclinations) the Liberty to use such a kind of Discipline over them, as that the Spring-time of Human Life, (which in all other Creatures is left at the Greatest Freedom to be Sweet and Jocund) is Deflowered and Consumed with Bitterness and Terrour, to the drying up the very Sap, which should Nourish their Bodies, and those more lively Spirits, which should animate their Minds, in their future Life, to Brave Actions.

It is Disputed against the *Stoicks*, who Condemn all Anger, that some Passion is necessary to the *Casti-*

gation of Youth. So Lactantius. But Plutarch, in his Tract about *Cohibition of Anger*, hath laid down a Rule of a contrary Import, that Punishment should never be inflicted out of Self-pleasing; but that when a Man is at present moved, he is first to Correct that Perturbation, before he is fit to Punish the Fault of another under his Tuition. He that is Hungry, useth his Meat according to Nature; but he that Punisheth, ought to be like the Laws themselves, which are not provoked with any desire at all. So Seneca. So Cicero. These Philosophers speak cleanly, imagining nothing but of the pleasure of Revenge; but what would they say of that Punishment which is made to serve a Viler Affection, and which is to be numbred among those ~~ad id ad id~~ and those ~~in re ad id~~ not to be Named.

It hath been a nearer Question of Ancient Debate, whether the Beating Children, should be Allowed, about their Books? We should Imbitter to them their Pleasure, and their Sin, that will do them Hurt: But we should Sugar their Learning, that is for their Good. The Understanding will not be Enlightned, the Memory Healed, or Invention Quickened, with Stripes upon the Flesh. Quintilian, that Famous Institutor of Youth, would have Lads Bred up Hard, to Lye on the Boards, to Eat any thing Coarse; but, by no means, to have Learners Beaten. There are several Ingenuous Reasons he has: I will set down only these Words of his which he hath at last, and have affected me much: *Jam si minor in deligendis Custodum & Praeceptorum moribus fuit cura, pudet dicere in qua Brutia nefandi homines isto cadendi jure abutantur, non*

morabar in parte hac, Nimum est quod intelligitur. I will not *Englissh* this, because it is the Sore which I am yet even too tender to touch. I wish, methinks, I had some way only by turning up the Soal of my Shoe, (as Sir Harry Blunt says, he saw in *Turkey*, a Woman complaining to the Magistrate of her Husband) to Present the Grievance I would have Redressed.

Sir Philip Sidney, that Excellent Person, in his *Arcadia*, hath thought good to set forth this Evil (which I mean) to Publick View, and so to Animadversion, we may suppose, and Emendation, under the Person of *Cecropia*, dealing thus with her Nieces: *Cecropia* (says he) *employing her time in using the same Cruelty on Pamela, as on Philoclea, her heart grew not only to desire the fruit of Punishing; but, even to delight in punishing them.* This brave modest Gentleman, had observed, belike, this growing Humour in those that use it: But having a Soul, into which so foul a thought never entered as might direct him right into the Cause of it, he expresses this Practise, complaining Tragically of the Cruelty, but searches not to the Rottenness that lyes at the Core of it. Will you have that shrewd Author *Hudibras* make the Discovery?

*The Pedant in the School Boys Breeches
Does claw and curry his own itches.*

By this little we need not wonder at *Dionysius*, the Tyrant, who being expulsed his Kingdom, and got to be Master of a School, should choose that Acquaint

for the more Voluptuous Dominion. Nor that *Busby* that Transcending *Rabbi*, (so Famous for this Geare, as for this Function) should not, at King *Charles's* Coming In, be won to change this *Province*, for any other tendered to him by the Highest Bounty. And, indeed, if there were not some such thing, and that this at the Root, how should the most of Children meet still with such doings, not only in His School, but almost in all others, as they have done? How could Men, that have the Face of *Gravity* and *Discretion*, be so highly, and so readily Offended, at all turns, with the *Innocent*? If the Punishment were not suffered to be on those parts, the Bowels would Yern, and Hands Relent, when the Child is so little, and the Fault less. But here is the *Misery* and *Plague* above all, That when those Appetites, which are *Natural*, have their Ends, and receive a Completion and Redress, in the Attaining that End, the Appetite, which is Un-natural, is Infinite; and these stirred Desires having no Current this way, (I say in Right Nature) to Satisfaction, and a Surcease, the Torments of the Children, upon this Account, (who look on their *Schools* as *Hell* it self) have a *Cognition*, indeed, hereunto in this, that they never have an end of them.

If Punishment comes from Self-pleasing, then will it not be in Measure; Then will it not be Just; Then the Punisher will be glad of a Fault, who attends the Boys Construing only for this. The Fault once sprung, the Bird is siezed, the Flesh made bare, and how does the Jer-Faulcon perch over it? Again, Then is this Evil Remediless to the Sufferer, seeing the Cause

Cause of the Punishment lyes in the Punisher, and not in the Punished to Help it. Then further, every Occasion, and no Fault at all, shall be enough for the Master to give himself Pleasure. The Master is Idle, takes no Pains, and hath no Patience; and the Boy is Beaten (this is what is Common, and Excusable in Comparifon) to make Amends, for his own Negligence and Sloth. Then, moreover, shall the Innocent, who are Little Ones, and not able to Conceive of the Matter, be thus Intollerably Miserable, as to be brought almost to their *Wits-End*; and ready to make away themselves, rather than endure the Iteration of those Stripes, whereof they see no Reason, nor hope a Discharge. Then, lastly, must their Torments (I have said already) be, indeed, like those of *Hell*, and no other, seeing they arise from an Unquenchable Fire, in the Appetite of their Master.

Not but there have been some *Masters*, and *Dames*, of that Ingenuity and Modesty, as they could never once find in their Hearts, to use this sort of Punishment, to any they ever brought up. Nor but there are some others, who have taken up the Common Usage without Reflection, and their Hearts cannot Reproach them, that they have ever Exercised it from any Instigation whereof they should be ashamed; but only out of Righteousness for their Schollars sake, in Amendment of their Manners, and as they have received the Mistake, (for that, *Quintilian* says, makes them the Duller) the Quickening them in their Books. It is these few Vertuous Men and Women, Born with such Chast Souls, and so averse to what is Filthy, that,

though:

though they have had a Call to this Office, could never yet so much as believe, that any other *Masters* or *Mistresses* do such things as they themselves never do, nor thought on, that is, the Correcting any Child for their Pleasure, but for the Childs Profit only, by whose Severer Vertue and Unbelief this Course is upheld. But when even such as these have heard, or do hear, of our Lewd Sparks Common Pranks in late Days, (imprest, we may suppose, by what they saw first at School) doing thus with the other Sex, their Eyes have opened, or must open, with their Ears, and see what is at the bottom of it. And certainly (I must needs say) for an Accidental Loose Gentleman, to be Tempted once or twice to the Using this Sport, while their Whores are at liberty to endure but so much as they list, it is not half so Damn'd a Mischief, as for the *Masters* and *Dames* doing the same Wickedness, with the adding the Hypocrisie, Lye, and Mask of a pretended Justice, Righteousness, and that Holy Thing Discipline, in the doing.

There is a Play called, *Sir Martin Marr-all*, where *Sir John* some-body, being set out in the Humour of Courting only the Simple and Silly Lasses, hath this Passage, *Could I have my Wish, it should be to keep School, and Teach the biggest Girls my self, and here is one in whom my wish is absolv'd.* This is (or was) a Passage, I thought, enough to puzzle a *Classis* of *Ministers*, or *Bench* of *Justices*: But when it was so commonly Talkt on, when that Play was in Vogue, what I said but now, how the Gallants served their Wenches, even as the *Fryers* used to do their *Nuns*;

As Gill his Maid Gillian ; As Tully tells of *Stilpo* ; and As the *Russian Women* (if *Barclay*, in his *Icon animorum*, and others, do say true) do measure the love of their Husbands (*Virorum in se benevolentiam ex verborum numero aestimant*): It will not be hard to guess their meaning. Hence the Old Country Use, in some places kept up, of Decking the Bridal Bed, with Sprigs of *Rosemary*, not thinking any further of it, but that it is Comely, or Lucky.

Indeed, a Man cannot speak without Shame, and go to expose this Malady to Cure, (which is the sole end of saying any thing) unless by such Instances, as may leave no Man in doubt, but that there is such an Evil, and that Evil ought to be Redress'd.

I look on *Numa*, among the *Romans*, who was the Institutor of their Religion, to be one of the Purest *Achiefs* that ever was. This Man did Invent his Order of *Vestal Virgins*, who, upon a Fault committed, were to be Whip'd by the *High Priest*, and that must be with pretence of Darkness, stark Naked, but it was himself only, besure, that would be the *High Priest*. By his *Books* found in his *Grave*, several *Hundred Years* after his *Death*, wrapt up in two Bundles of Wax, he was found to believe none of his own *Superstition*, which, therefore, after the *Prætor* had Read, the *Senate* commanded to be Burnt.

It is not unknown how the *Jesuites*, Govern their *Schools* beyond the *Seas*, nor what they have delivered, some of them, on this matter, in their Cases of Conscience.

science. Neither would it be any dishonour to us of this Nation, to Change our Customs for better, though we borrowed them from their Example. It cannot, therefore, but be a Wonder to me, that ever we should have Parliaments in *England*, and *Westminster* Parliaments, wherein are so many *Gentlemen of Excellent Parts*, and *Ingenious Reflections*, and who, some of them, are not so Old, sometimes, as to forget what they have felt, and seen so little a way off; and yet we never hear of something tendered for the *Regulation of Schools*, and what is *Practised* there. Is it because they can, indeed, remember no *Stories*? Or, that the Impressions do yet last that they must not tell *Tales* from thence? And why must not the *Schollar* tell *Tales*? If there were no Consciousness, of what was Ugly in the Fact, What need of *Privacy*? The end of *Virtuous Castigation*, is for Example, and such Symptoms do Inform us, That it is not the *Punished* needs *Amendment*, so much as the *Punisher*; and that the *Punishment* it self needs it most.

As for my own Education, when I was yet in Coats, I remember how my *School-Dame*, that Taught me to Read, was ready to take her Advantage for this Work. Coming to Learn *Latin*, I went to the *Free-School*, where I was Born: My *Master* was so woefully addicted to this Trade, that I cannot but remember still, how often he would take his turn out of the *School* on purpose for the *Monitor's Bill*, who was to set down every one that did but Stir, or look off his Book in the mean while: Oh! How I did dread then, every time he went out! For, no Care,
or

or *Vigilance*, could keep any from *Fault*, when he designed to have one found. I cannot but Reflect how I was used, how this Game was followed, and what Occasion was sought. The *Terrible Life* a poor *Child* lives, under such a *Master*, in regard to the Unseen Cause thereof, is beyond Expression, most *Lamentable*.

I will tell how I was used one time. My *Master* comes in, (I was a handsom fresh-coloured *Boy*) and he has a mind: He calls me down, therefore, and puts me suddenly on my Lesson: I Fortun'd to disappoint him, and said it. But this not cooling him, he looks all about me, and sees my Stockings, I had on, New Stockt: *How now!* (says he) *What Hose are here? Hose of two colours?* I told him, (I suppose) They were such as my Mother would have me wear. It is no matter what I said, this must be a Crime for that Occasion, and he serves his Inclinations. I go Home, and said nothing; but, on the morrow morning, when the Maid brought me my Stockings to put on again, I would not endure them. The Maid tells my Mother; she comes, knowing not the matter, and uses all means she could, fair and foul, yet would I not wear them. I durst not tell her the Reason, (for the telling *Tales* out of the *School*, as I have Intimated, where there is such a *School-Master*, is made a worse Fault than *Treason*) and my Mother, therefore, was exceedingly moved at me, as a most obstinate, perverse *Boy*; having thenceforth her mind estranged, and retaining the impression, so that she was very near to have got my Father to give away a piece of Land from me. Which I Recount only to

shew What un-imaginable *Effects* may Arise from so *Secret* and *Dark* an *Original*.

I must Recite yet, with much more Compassion, what a Young Gentleman was telling me of a Brother of his, a Spruce, Generous, Brave Spirited *Lad*, whom his Father, therefore, thinking to make him so much a more Perfect *Scholar*, takes him from a *Master* where he had been cocker'd, and puts him to *Westminster* School. The Young Gentleman coming to see, and feel, what doings was there, is not long under the Regiment of that *Doctor*, but his Spirits are Cow'd, his Parts Lost, and he Returns a *Mope* Home. Shall I tell you of some of another Temper? Some Young *Scanderbegs*, in their Resentment, who, out of Detestation of such *Horrid Usage* as this, did get their Pistols, and if they had not chanced to Reveal their Intent to some of their Fellows, had certainly been their Master's Death. Shall I tell of Multitudes, that, not able to Undergo such *Daily Torment*, have fallen to *Truanting*, then to *making Excuses* to their Parents, then to *Ill Company*, and so to have been undone.

Alas! That there should be so profound an *Insensibility* in Parents, who deal with *Children*, as if they were all Born *Mad*, and were to get their *Wits* by *Beating*, or by *sending them* to *Bedlam*, which, yet, is far more Easy, than to be sent to some *Schools*.

I remember *Plutarch* tells of *Marius*, who, having swoln unhandsom Leggs, calls for a *Chyrurgeon*, and holds

holds forth one of them for him to Launce, and Work upon, as long as he would, not once giving any sigh, or with-drawing it, or speaking one word: But, when the *Chyrurgeon* had done with that, and call'd for the other, No, (says he) *the Cure is not worth the Pain*. It is true, that *Children*, for the most part of them, do take their common Lot, and are not able to lay the Thing to Heart, in the Iniquity of it: But so long as some of them do, and their *Parents* may, and should all do, it is not a little *Greek* and *Latin* for a Gentleman's Son, no, nor all the Hopes of Advantage a Poor Man's Child may have to be of the King's Foundation, (the Hardship whereof, to go through, is little known to any but the Poor Lads themselves) can Compensate the *Sufferings*, and the *Villany*, they endure.

There are such *Stories* that might be told out of *Westminster* School, now the Dreadful Venerable *Bard* thereof is Dead, *Eaton* School, *Pauls* School, formerly, and the like Noted Schools, that would make a Heart of Stone to Bleed. There have been *Masters* Arraigned at Bar for the Death of some *Boys*. There are *Children* have been ready to Drown themselves, or make away themselves, (as before observed) rather than go to such *Masters*.

One Boy, in a Country School, being Ripe for the *University*, tells his *Master*, that, on the morrow, his Father would come, and fetch him Home, to carry him thither: The *Master* presently takes him to Task, Poses him with Questions, and holding on,

gives him *Forty* Lashes, and upwards, that he might have the Tole of the Grist before it went.

A Grave Person, (one Mr. Cole, a Nonconformist Minister, in London) being a Westminster Scholar, had very few less given him at once, by Busby, for nothing, but that, upon a False Supposal, he would not be made to Be-Lye himself, and, when he was ask'd, still stood to the Truth. This *Flagitious Act* was Discover'd to his Friends, by the Maids finding his Shirt all *Bloody*, and his Keeping his Bed. What Stirr came of it afterwards, let himself tell, if any that Read this, ask him about it : * But the Gentleman, that told me of it, but a few Years since, that was then his School-Fellow, received such Horrour at the sight, that the Impression of it is never like to go off from him as long as he lives.

* Since
this was
Writ, this
Reverend
Witness is
Deceased.

A Woman, that Used to Teach, and set Girls to Work, took a Poor Neighbour of mine's Daughter to Prentice, and finding some Occasion, Whips the Girl, till she was *Stark Dead*; whereupon, the other Girls crying out, *She was Dead!* Is she? (says the Woman) *I'll fetch her alive again:* And Whips on, from the first beginning to the end, a whole Hour by the Clock.

Here are *Masters* and *Dames* fit to be Hang'd! Butchers, to whom *Calves* should be sent to be Flead, not *Children* to be Instructed; and yet, How can they Help

Help themselves, unless there be *Bounds* set upon this *Wickedness* by a *Law*? There is nothing but *An Act of Parliament* about the *Education* of *Children* can deliver the *Nation* from this *Evil*, which I may call the *Kings-Evil*, seeing it is such *Foundations* as theirs, or the like, where there is *Provisions* made to *Breed up Poor Folks Children*, (though *Vily Converted* to such as can make most *Friends*) and when such as depend on this *Maintenance* are forced to bear any thing rather than be gone; the other *Children* yet *Free*, and *Gentlemens Sons*, are brought by that means, to undergo the same *Fate* one with another.

After my first *School-Master*, and another, had left the *School*, a *Young Master* was put in, who was a kind of *Ingenuous Man*, as I had thought, and of another make, but after he came to this *Calling*, he soon *Improves*, and *Learns the Trick*, insomuch that he would sometimes have a *Forme of Boys* stand at once with their *Breeches down*, and *Shirts up*, or sometimes to go up and down the *School Bare*, and he *Slash* them as he pleased. Oh, there is no *Man*, if once turn'd *Pedant*, is to be trusted with such a sort of *Power* as this. Such *Unclean Temptation* must not be committed to the *Vertue* or *Temperance* of a *Socrates* himself, which the *Tribe* of these *Men* (for ought I see) do take as easily, as the *Boys* that come together, do the *Itch* of one another.

I spoke one time to a *School-Master* something open, to try if it were so, as to him, and he answered me presently, *Rogues all, Rogues all.* To my saying to.

to another, *It is* *discreet* *to* he returned as soon, *It is* *discreet*. Another turn'd out of his *School* upon this Account, did with a down-cast sensibleness bewail the Permission.

And what is the *Reason* then for all this, that all this while there is no *Redress* of this *Grievance* sought and effected? Why the *True Reason* mainly is this *Caution*, which the *Wise* are apt to conceive within themselves, that the Reprehending and Speaking of the Thing, and endeavour to Reform it, will put that into some ones Head which before they thought not of, and so they shall Beget and Encrease the *Evil* more, instead of Extinguishing it. But this I take to be certainly that very piece of *Cunning* whereby the *Devil* hath held the World so long in this *Vile Practice*. The *Ingenuous* forsooth cannot speak of it. A few there be, if they do speak, are afraid it will learn People to be naught, to tell them what is Naught. This is to be acknowledged a Piece of *Sagacity* in some Things, but not in this. For these few Vertuous Men are mistaken to think this any such Discovery if it be made, that they should need to hide it. Alas! All Men of Reflexion almost do know it, having Learn'd it at School by feeling: And yet these *Wiser Men* will think as if they alone did, and so won't talk any *Thing* of it. But it is the speaking of the thing, and common exclaiming against it, that must rid it. For Want of Speaking, the *Evil* is Continued and Encouraged, as Vertuous and Eligible. Besides, this is one of the Tricks of *Venus* to make a Pleasure endeared by keeping it private. If it were freely Talkt on, it would

would lose its Vigour. Above all, the speaking of it in a *Petition* to the *Parliament*, for *Remedy* of it by an *Act*, is certainly that way wherein there is no Danger of Propagation by it. Nay if any (and no *Act* be) should by the Speaking against it be excited to it, the Greater Part undoubtedly are liker to be abashed, and the Guilty rendered Ashamed by it.

It is not to be forgotten upon this Occasion, how one, the Scourge, and Scourged of the *Papists* (I Name him not, being living) was accused of *Sodomy*, (for it was his Life they Thirsted after) when there was nothing I could ever understand at the bottom but this, that he did use in keeping Lads to wait on him to take down their Breeches often, and thrash them upon committing any Fault, whereof one or two of the Greater Ones complained to their Friends, as that which was Vile to them, and made them leave his Service, as what they could not abide. Which *Example* may Warn those that keep Boys and Girls to Attend them, or be Taught by them, to forbear this Punishment after they come to their Teens, seeing *Casuits* who occasionally touch on such things, must and cannot but Brand it for a *Spice*, or *Degree* of this *Enormity*, which is therefore to be Abandoned by *Modest Persons*.

And here, let all that Teach School in the Name of GOD Examine themselves. If their Consciences tell them they are Clear and Clean in this Thing it is wonderful well, for I fear such are Rare, or None, if Noted for *Rigid Masters*. If Conscience tells themselves

selves otherwise, that a Delectation there is, and they find it ; That they find it and feed it, and in the Exercise of their Function they fulfill daily such Desires : If (I say) Conscience tells so, I see no way for such Persons, but with a Required Shame and Confession to quit the calling, for there is no body that lives and dies in a known Sin (this being no Small, I take it; but Vile One) without Repentance (and there can be no *Repentance* where there is no Amendment, and no Amendment when the *Thing* is daily done) can be Saved, according to the Common Sentence of *Divines*, which they themselves (some of them being such) must needs know. So much Reason is there more for an ACT in this *Case*, that those who are Well-Condition'd Men, and Innocent otherwise, may, with a Safe Conscience, hold their Vocation.

I must Profess, it is Grievous to me to have said any thing of this, if it were not for Conscience sake : I would not be Hired for any Money to Write as I do; that is to Speak such Blunt Truth as I do, it is such a Penance and *Throws* on my Mind in the Doing, which I would therefore never endure, but for a *Delivery* of the Nation from this *Evil*, that can, never I am sure, without This Means, that is Speaking, be Done.

There

There Remains Two **QUESTIONS** to be Ask'd.

One, What *That Authority*, or *Power* the *Master* hath over the *Schollar* is ? All Power is either *Natural* or *Derived*. The Power of the *Master* is not of Nature, for What hath one Man of himself to do with the Child of another ? The Power which is *Derived* is either *Supream*, or *Subordinate*. The *Supream* is that which lyes in the *Chief Magistrate*, whether it be *Derived* immediately to him from *GOD*, or by *Consent* of the *People*. The *Subordinate* is that which is *Derived* from the *Supream* to the *Inferiour Officers*, who *Act* in his *Name*, and from his *Authority*. The Power of the *Master* now is no such Power, neither *Deriving* from the *Magistrate*, or the *Laws* of the *Nation*, for he *Acts* not over the *Boys* in the *KING's Name*, as the *Justice* and the *Constable* do. What then is this *Adventitious Strange Power* ? Why this Power the *Master* hath over the *Scholar*, is that *Right of Ruling* him which is given him by the *Father*. It is no Power therefore *Supream*, but *Subordinate* ; and not *Natural*, but *Derived* from that which is *Natural* ; and consequently is no other, nor no more, or to any other purpose than what the

Parents do allow him. If a Father therefore shall bring his Child to School, and tell the Master, that to preserve the Modesty and Ingenuity of his Spirit, he will never allow this way of Beating him, which is a manifest Prostitution thereof: if the Master shall yet Use it, this Act of the Master is not only Vile, but Unjust, and he is accountable to the Parent for it: Who should therefore either Sue him at Law before some Righteous Judge and Jury to make some body an Example: Or fall upon him with his Cudgel (if he be a Man of Metal) wheresoever he meets him, as having received the First Blow already, on the Flesh of his Child.

The other **QUESTION** is,

What? Would you then that Children have no Correction at all?

I say, Yes, and that as Severe as **SOLOMON** himself intends, if clean (such the Parent Allows): When it is meet, and for Vice, or to prevent their being Naught, yet never for their Books, if Disobedience be no Ingredient to it. There should be some Ingenuous Punishments devised by the Master and Dames to shew their Wit and Moderation, which the Children should tell.

tell of when they come home, that their Parents might commend it, and make them love their Schools. There should be an Emulation still rekindled and kept up by Praise and Dispraise, by Getting and Losing the Place. There should be a Substraction of some Play-Game, or Allowed Sport, or Dainty, or some Things the Young Ones hearts are upon, which will Work more with them than these Accustomed Stroaks: Besides, some Training them to Self-denyal, will stand them in Good Stead when they come to Age. For Corporal Sufferings there is the *Ferula* for the Hand, a *Ropes-end* for the Sides; some Drubbing also may be without harm: Nay, some Devices there will be even by Artists quickly in Shops, and as for the *Rod*, which is to be used at last, it is never spoken of in Holy Scripture but for the *Back*. There is no need for making the Boy good, and the Girls good, that the Master or the Dame be made Naught.

I would have no stripes on the Bare, be suffered henceforward to be given any Child out of the House of their Parents (and not there after Twelve) beneath the Waste.

I know here the Dissimulation, and what must be said. There is a Necessity of Castigation sometimes beyond Reproof, and this is most Safe, or least dangerous, and therefore is chosen and used. But this is but One Thing well considered, & those that look but on One Thing in their Deliberations, are easily mislead. There is more than this One Thing, is, in so Momentous a Matter as the Institution of Youth, to come under Consideration. We may easily Resolve for the Schollars security, that no Bones be broken; no Boy Maimed or Lamed, yet not with the Neglect of Honesty and Vertue.

As for the Training up of our Youth to Good Literature, it is beyond doubt a Noble Thing in its own Nature, and might be an Imployment of Grandeur for the most Excellently Born and Qualified, the most Generous Minds and Bravest Spirits, were it not that this Vitious Sordid Custome, and Ill Methods in Teaching, had Dishonoured the Profession. That Person who by Sweetness and Gentleness, or by the Gravity of his Deportment and Countenance, or else by Prudence and Contrivance, is not able to keep a Company of Youth in Order without Violence, is not fit for such a Dignity as to be Chosen Prefect of the Children of a Town, in his admittance to any Publick School, and so made Ruler over his Hundreds, his Fifties, and his Tens.

If there must be a *Lictor*, and his bundle be sometimes opened, let no Child at any time be beaten in the Master's Heat and Passion: If it be a Fault now, it will be so an hour hence: If it appear not a Crime to morrow, it was not so heinous as he thought it yesterday. Let the Boy then undergo a solemn kind of Judicature; if it were by a Form of the highest Schollars as Assessors together with their Master, it were but like the *Lacedemonian* Institution of their Youth, whereof the Chiefest Point lay in this, to enable them to Judge aright of what was Praise-worthy, and what to be Condemned in *Human Conversation*. Whatsoever the Criminal can alledge for himself by way of Justification or Extenuation of the Fact, it ought to be heard with Patience and Candour. If the Fault cannot be forgiven without Prejudice to the Community, (*Personæ parcendo, sevitur in Rempublicam*) let the Doublet be plucked off, and that part which may Chastly lye Naked, be stripped; let the number of the Stripes, according to the Merits of his Delinquency, be allotted, and the Boy be brought before the Face of his Master for seeing just Execution. This is after the manner of the *Hebrew* Judgment, The Malefactor was to lye down before the Judge, and so receive the Stripes appointed. Let one of the Vilest Boys then that hath behaved himself worse of any that day in the School, be picked out for Executioner, that may

showed
serve

serve for a Shame and Admonition to him, no less than for the just Suffering of his punished Fellow.

Our Schools we know, in the *Latin*, are called *Ludi*, *Ludi literarii*, and our Masters *Ludi Magistri*. From whence we must take the Indication, that the Erudition of Children among the Wiser Ancients, was thought best to be carry'd on in such a way, as that the matters perform'd there were made to become in Effect only the Boys *Olympicks*, from which they were to be kept sometimes as by the Raines, to raise their minds to Eagerness, rather than be spurred and gauled to them. There were no need of the Parents solicitude, or Master's blows, to bring the Boy to Learning, if his Lessons were but his Recreations, and as so many Games of the *Muses*, unto which he came for his Delight, and not for Exercise only.

But after all this, before I end, if for fear of some unknown Harm to Children by other Punishments not in use, the Major Vote of the Wise shall be for letting this Custom still obtain, yet must it needs be very fit that some Reformation be made, if not quite as to the Villany, at least as to the Butchery thereof, in regard to those Masters and Dames that have no
Bowels.

Bowels. It were a Good Thing therefore, if nothing else can be done, that these Three Things were but consider'd and limited :

The Age of the Schollar,

The Measure of the Weapon,

And, The Number of the Stripes.

When there are those sharp long cutting Rods, and Bundles of them made for our great Schools, such as not One Parent of a Hundred would Allow his Child to come under, if he could chuse; and the tender Mother would swoond almost to see one of them: When such Preparations as one would think could have been invented only for Torture of the Martyrs, whom they Tormented to Death, have been made for Correction of Poor Children, even for Innocent Matters, Turning our Schools into very Shambles, *Ubi torquentur* (as Cyprian has it) *non membra sed vulnera*: Which Practise our Masters still, if it were not for some of their own Better Natures, might follow: It is time to say to this Sea, *Hitherto*. What? Shall the Nation endure a quite Arbitrary Power over our Free-Born Children by a Pedant, when we cannot bear with the least part of it over ourselves by a King? Suppose then it be agreed, that every Lad
after

After *Fourteen*, (and the Female sooner) be Enfranchized, from this Punishment altogether, so that from thenceforth it shall be to them a matter Obscene; and that for those under that Age, no Rod shall be in Length above such a stint; (Suppose but Half the EN) And no Stripes above such a Number; (Suppose but Three) And that if any Master shall exceed these Limits in any of the Three Particulars, it shall be present Expulsion; No Schollar, Old or Young, being exempt from other Discipline, according to Desert, otherwise: I say, if there were nothing more (though in a BILL concerning *The Education of Youth*, many a Thing more would be thought on, and put in), could be done, such an ACT yet would be a *Good Act*; and to Compass it, a very *Worthy Exploit*.

But, Alas! Why should any be of so slight consideration, as to think, that Children might not be Corrected otherwise? What if an Engine were invented (as I heard the Ingenuous Dr. *Wilkins* once speaking) to supply the place of such an ill Master, whose Skill to make Schollars is only by Compulsion, as like to prove the better Tool (because Innocent) for that purpose, than He? What if it were Enacted, *That all Children that go to School shall wear Drawers, and that they shall be never Whipt but with their Drawers on?*

To

TO CONCLUDE:

It is Humane, it is Religious, it is Fit, that all Instruction and Castigation of Children be Holy, and nothing allowed in our Schools but what is conformable to Modesty, to Ingenuity, and Vertue. And consequently that such a Usage to the contrary, which is Base, which is Foul, the longer it hath Obtained should be the rather Reclaimed: Seeing I must, most solemnly now at the end profess, not only the Thing to be an Evil, but the Greatest Evil I know, or can think, which hath Publick Allowance, of any whatsoever the Sun sees.

An Evil (let me say on) which is not *Malum triste* only, (for then it should be borne yet for me) but *Malum turpe*. The Corruption of Discipline: The Bane of all Good Education, The Infection of the School-Master: The Dishonour of their Function, The Infandum of the Teacher: The Horrendum of the Taught. The Stupid Man's Idol: A *Topbet* to those that have their Eyes open. To the one a Ludicrous Matter: To the other, *An Iniquity to be Punish'd by the Judges.*

Son of Man, I have set thee as a Watch-man to the House of Israel, if thou dost not speak to Warn the Wicked from his way, that Man shall
E Die

Die in his Iniquity, but his Blood will I require at thy hand : Nevertheless, if thou warn the Wicked of his way to Turn from it, if he do not Turn from his way, he shall Die in his Iniquity, but thou hast delivered thy Soul.

I know that the World lyes in Wickedness, and if it be Warn'd, and will lye in Wickedness, let it lye. If the Nation will not take the Warning, but will be Wicked, and a *Sodom*, let it be Wicked still. If Parliament after Parliament, and this Parliament will not mend it, let the Wickedness lye on those that can help it : As for my self, I deliver my own Soul. The Trumpet is blown, let the sound thereof go abroad, and those that will, let them know the meaning of it.

F I N I S.

Once and again, but Satan bindred.

